GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Labour Employment Training and Factories Department – Boilers Department – In-Charge arrangements to the post of Director of Boilers, Andhra Pradesh, Vijayawada – Orders – Issued.

LABOUR EMPLOYMENT TRAINING AND FATORIES (LABOUR-II) DEPARTMENT

G.O.RT.No. 575 **Dated: 07-09-2017**

Read the following:

1. G.O.Rt.No.695, LET&F(LAB-III)Department, Dt:01.06.2014.
2. From the the Hon'ble High Court of AP, orders Dt.24.08.2017 in W.P.No.28437/2017 filed by Sri B. Umamaheswara Rao, DCIB, Visakhapatnam.
3. U.O.Note No.257447/Lab.II/A2/2016, LET&F (Lab.II) Department, Dt.30.08.2017.
4. From the the Hon'ble High Court of AP, orders Dt.01.09.2017 in W.P.No.28437/2017 filed by Sri B. Umamaheswara Rao, DCIB, Visakhapatnam.

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ORDER:

In the G.O. 1st read above, orders were issued that Sri B. Surya Prakasa Rao, Deputy Chief Inspector of Boilers in the Office of Director of Boilers, Andhra Pradesh, Hyderabad shall officiate and discharge the duties and responsibilities of Director of Boilers of residual state of Andhra Pradesh on temporary basis till regular arrangements are made.

2. The Director of Boilers (I/c) has been directed to send the DPC proposals vide Govt.Memo No.257447/Lab.II/A2/2016, Dated.2.6.2016, 17.04.2017, 21.06.2017 & 28.08.2017.

3. In the reference 2nd read above, the Hon'ble High Court of AP have issued the following orders:

> " Though we wanted to exercise the option of summoning the Special Chief Secretary, Labour Employment Training and Factories Department, for keeping a sub-junior as Incharge to the post of the Director of Boilers for more than three years ignoring the petitioner, who is senior to him by six years, the learned Government Pleader for Services (AP) appearing for the respondent has made a fervent request to adjourn the case without summoning the Special Chief Secretary by assuring that by the next date of hearing, injustice done to the petitioner would be redressed. Considering this request, instead of summoning the Special Chief Secretary, we are inclined to adjourn the case. Post on 31.08.2017".

4. In accordance with the above orders of Hon'ble High Court of AP, DPC proposals have been received on 28.08.2017, processed and sent to the General Administration Department, Government of Andhra Pradesh vide reference 3rd cited requesting to place the matter before the Departmental Promotion Committee at an early date. Necessary action shall be taken for expediting the process.

5. Further, in the reference 4th read above, the Hon'ble High Court have also issued the following order:

> "In spite of granting further time, proceedings pertaining to incharge arrangement as Director of Boilers have not been issued in favour of the petitioner. Learned Government Pleader for services (AP) requested for two day's time for issuing proceedings. On her request, the Writ Petition is adjourned to 08.09.2017. If, by the next date of hearing proceedings are not served on the petitioner, the Special Chief Secretary, Labour Employment Training and Factories Department (AP), must be personally present in the court".

6. In the DPC proposals, it was noticed that, Sri B.Uma Maheswara Rao, Deputy Chief Inspector of Boilers was trapped by the official of the Anti Corruption Bureau on 23.03.2005 at 4.30 PM at his office room, when he demanded and accepted tainted bribe amount of Rs.10,000/-. As further course of action Charge sheet was filed against him in the court of the Principal Special Judge for SPE&ACB cases, Hyderabad on 02.02.2007. The Hon'ble Court of the Principal Special Judge for SPE &ACB cases, Hyderabad acquitted him in the

judgement given on 27.10.2014 under section 248(1) Cr.P.C for the offences under sections 7 and 13(1)(d) r/w Sec.13(2) of Prevention of Corruption Act, 1988. The Hon'ble High Court admitted the Criminal Appeal filed by the DG, ACB, Telangana vide Criminal Appeal (SR) No.24623/2015 on 16.03.2016 against the acquittal order of Principal Special Judge for SPE&ACB cases, Hyderabad in C.C.No.23/2007, dt.27.10.2014 against the A.O i.e., Sri B.Uma Maheswara Rao and the same is pending in Hon'ble High Court.

7. Further, in another case, the General Administration (Vigilance & Enforcement) Department, in their Appraisal Report No.5, Dt.22.01.2013 have stated that on the credible information certain industries in Karimnagar District are polluting the environment by not following the prescriptions of Pollution Control Board. Hence, V&E Department, took up enquiry and verified certain industries. The GA(V&E) Department, has furnished the following one finding at M/s Kanakadurga Solvents Extractions Private Limited which pertains this Department :

> "The validity period for commissioned boiler expired on 01.01.2012 and it was re-inspected by the authorities from the DOB on 04.01.2012. But the industry is yet to receive it's boiler validity certificate as on 08.11.2012."

Hence the V&E Department, has recommended the Government to direct the Director of Boilers to initiate disciplinary action against the Officer/Officers who inspected the commissioned boiler at M/s Kanakadurga Solvents Extractions Private Limited on 04.01.2012 but failed to furnish validity certificate even by 08.11.2012 more than 12 months after inspection. The LET&F Department, Govt. of Telangana has requested the Director of Boilers, Telangana, Hyd., to take immediate action on the said recommendation of V&E Department. But the Director of Boilers, Telangana has informed that regarding M/s Kanakadurga Solvent Extraction (P) Ltd., Suglampally, the concerned jurisdiction Officer Sri B.Uma Maheswara Rao inspected the boiler on 06.01.2012 and issued Provisional orders in form of Form-V valid from 06.01.2012 to 05.05.2012 and Sri B.Uma Maheswara Rao has been allotted to A.P. during bifurcation and he was relieved from Telanagana State on 23.07.2015. Hence the Govt. of Telangana has transferred the file in original to the State Govt. of AP for taking further action in the matter. The explanation has been called in the matter.

8. Consequent on the orders of the Hon'ble High Court of AP, Dt:24.08.2017 and 01.09.2017 in W.P.No.28437/2017 filled by Sri B.Umamaheswara Rao, Deputy Chief Inspector of Boilers, Visakhapatnam, with high respect to the Hon'ble High Court orders, after careful examination in the matter, Government hereby place Sri B.Umamaheswara Rao, Deputy Chief Inspector of Boilers, Visakapatnam, who is the senior among the eligible Deputy Chief Inspectors of Boilers, as in-charge to the post of Director of Boilers, Vijayawada, duly relieving Sri B. Surya Prakasa Rao from the duties of in-charge Director of Boilers, Vijayawada, subject to filling up of the post of Director of Boilers through DPC or until further orders whichever is earlier.

9. The Director of Boilers (I/c), Andhra Pradesh, Vijayawada shall take necessary action accordingly immediately.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri B.Umamaheswara Rao, Deputy Chief Inspector of Boilers, Visakhapatnam,
Sri B. Surya Prakasa Rao, Director of Boilers (I/c), Andhra Pradesh, Vijayawada,
Copy to:
The Accountant General, Andhra Pradesh, Hyderabad,
The Pay and Account Officer, Andhra Pradesh, Vijayawada,
The District treasury Officer, A.P., Vijayawada/Visakhapatnam,
The Government Pleader for Services (AP), High Court of AP, Hyderabad,
The P.S to M (LETF), Velagapudi,
The P.S to Spl.CS to Government, LET&F Department.
SF/SC.

//Forwarded::By order//

SECTION OFFICER